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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BATES, KEVIN T	

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/703,888	BERKMAN ET AL.	
	Examiner	Art Unit	
	Kevin Bates	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43 and 45-54* is/are pending in the application.

4a) Of the above claim(s) *44* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43 and 45-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on December 7, 2005.

Claim 44 has been withdrawn as a non-elected claim.

Claims 1-43 and 45-54 are pending in this application.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-35, 37-43, 45-47, and 49-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Gupta (5913061) (Applicant's IDS).

Regarding claims 2 and 16, Gupta teaches a method of centrally managing distributed components comprising:

storing in a first computer system a central registry database including configuration information related to a distributed component located in a first remote computer system and a second distributed component located in a second remote computer system, wherein the first distributed component communicated with a first enterprise application and the second distributed component communicates with a second enterprise application (Column 6, lines 58 – 67);

receiving requests from the distributed component in an enterprise application system for configuration information update requests (Column 11, lines 40 – 47);

determining configuration changes to be implemented in response to the requests;

modifying the central registry database to reflect at least a portion of the configuration changes (Column 11, lines 47 – 48);

allocating the configuration changes to the corresponding distributed components; and

transferring the configuration changes to the corresponding distributed components wherein the configuration changes are implemented in the corresponding distributed components (Column 11, lines 48 – 51; Column 22, lines 22 – 24).

Regarding claim 9, Gupta teaches a method of centrally managing distributed components comprising:

receiving at a first computer system data translation and messaging configuration information from a configuration information input module wherein the configuration information is accessed and modified by a user and sent to the first computer system (Column 11, lines 40 – 47);

determining configuration changes to be implemented in response to the requests;

modifying the central registry database to reflect at least a portion of the configuration changes (Column 11, lines 47 – 48);

allocating the configuration changes to the corresponding distributed components; and

transferring the configuration changes to the corresponding distributed components wherein the configuration changes are implemented in the corresponding distributed components (Column 11, lines 48 – 51).

Regarding claims 23 and 54, Gupta teaches a distributed enterprise application integration system comprising:

a central control module stored in a first computer, the central control module including a central registry database used to store configuration data about a distributed enterprise application system (Column 6, lines 58 – 67), wherein the central control module is configured to process requests for component configuration updates, process changes for the central registry database, and forward component configuration data to a plurality of distributed components (Column 11, lines 40 – 51); and

the plurality of distributed components including corresponding component control modules, the plurality of distributed components stored on a plurality of computers, wherein the plurality of distributed components are configured to communicate with one or more enterprise applications and perform data related and messaging activities in compliance with component configuration data (Column 4, lines 6 – 10), and wherein the component control modules are configured to implement component configuration data and communicate with the central control module to receive component configuration data, send requests for component configuration updates, and send changes to the central registry database (Column 11, lines 40 – 51).

Regarding claim 28, Gupta teaches a distributed, multi-platform application integration system comprising:

a central host including a central registry system (Column 6, lines 58 – 67);

a plurality of application hosts including corresponding control brokers wherein the control brokers are configured to communicate with the central registry system to receive configuration data (Column 11, lines 40 – 51); and

a plurality of multi-platform applications corresponding to the plurality of application hosts wherein the plurality of multi-platform applications are configured to communicate via the plurality of application hosts in accordance with the configuration data (Column 5, lines 55 – 59).

Regarding claims 3, 10, 17, 24, and 34, Gupta teaches that the configuration information includes, at least one of, data translation, routing, formatting, scheduling, collaborations, and message identification (Column 6, lines 40 – 50).

Regarding claims 4, 11, 18, 25, and 35, Gupta teaches that the configuration information includes, at least, data translation (Column 7, lines 59 – 63), routing (Column 4, lines 7 –14), formatting (Column 7, lines 31 – 34), scheduling (Column 15, lines 5 – 7), collaborations (Column 4, lines 7 –14), and message identification (Column 7, lines 20 – 30).

Regarding claims 5, 8, 14, 15, 21, 22, 26, 27, 30, and 31, Gupta teaches that the central registry database communicates with a plurality of subordinate and duplicate registry databases, and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 3, lines 60 – 65; Column 4, lines 2 – 6).

Regarding claims 6, 12, and 19, Gupta teaches that the configuration information includes data translation and messaging information (Column 7, lines 59 – 63).

Regarding claims 7, 13, and 20, Gupta teaches that the configuration information includes component and business logic connectivity information (Column 4, lines 6 – 10).

Regarding claim 46, Gupta teaches that receiving requests from distributed components in an enterprise application system includes receiving requests from distributed components that facilitate communication among enterprise applications (Column 4, lines 6 – 10).

Regarding claim 47, Gupta teaches allocating the configuration changes to the corresponding distributed components includes allocating the configuration changes to a control broker (Column 22, lines 10 – 24), wherein the control broker includes a broker process and the control broker is associated with a plurality of the one or more enterprise applications (Figure 3, element 208).

Regarding claim 49, Gupta teaches that the configuration information includes data mapping (Column 14, lines 18 – 31).

Regarding claim 50, Gupta teaches a control broker configured to communicate with one or more of the one or more enterprise applications (Column 4, lines 6 – 10).

Regarding claim 51, Gupta teaches that the control broker includes at least one of a configuration change process, a monitor process, a status process and an alert process (Column 15, lines 1 – 8).

Regarding claim 29, Gupta teaches that a plurality of application connectors wherein the plurality of application connectors facilitate communication between the plurality of application hosts and the corresponding plurality of multi-platform applications (Column 4, lines 2 – 6).

Regarding claim 32, Gupta teaches that the central registry system includes: a central registry database that is configured to store configuration information about the plurality of application hosts (Column 6, lines 58 – 67); and a central registry service that is configured to communicate configuration updates to the plurality of application hosts (Column 22, lines 10 – 24).

Regarding claim 33, Gupta teaches that the control broker includes: a local registry database that is configured to store configuration information about at least one of the plurality of application hosts (Column 6, lines 58 – 67); and a monitoring module that is configured to monitor the application host (Column 1, lines 63 – 67).

Regarding claim 37, Gupta teaches at least one of the plurality of multi-platform applications is a customer relationship management system (Column 13, lines 13 – 16).

Regarding claim 38, Gupta teaches at least one of the plurality of multi-platform applications is a enterprise resource planning system (Column 13, lines 23 – 29).

Regarding claim 39, Gupta teaches at least one of the plurality of multi-platform applications is a financial management and planning application (Column 13, lines 13 – 16).

Regarding claims 40 and 53, Gupta teaches a method for integrating distributed applications comprising:

managing requests for configuration changes from at least a first distributed component servicing distributed applications in an enterprise application system (Column 11, lines 40 – 47);

collecting configuration change information from a plurality of distributed components related to the requests for configuration changes (Column 11, lines 48 – 50); and

disseminating the configuration change information related to the requests for configuration changes to one or more of the plurality of distributed components servicing distributed applications wherein at least a first application is executed on a first operating system and a second application is executed on a second operating system wherein the first operating system and the second operating system are not the same operating system (Column 22, lines 10 – 24).

Regarding claims 41 and 52, Gupta teaches a method for integrating distributed applications comprising:

sending requests for data-related and messaging-related configuration changes from a first host to a central host (Column 11, lines 40 – 47);

receiving at the first host configuration change information from a central host related to the requests for configuration changes; and

implementing at the first host data translation and messaging configuration changes according to the configuration change information (Column 11, lines 40 – 52).

Regarding claim 42, Gupta teaches a method of integrating a plurality of multi-platform applications located on a distributed network comprising:

providing a plurality of integration modules corresponding to a plurality of multi-platform applications, wherein the plurality of integration modules perform data-related and messaging activities enabling communication among the plurality of multi-platform applications (Figure 3, element 208); and

providing a central host module, including a central database of configuration data (Column 11, lines 40 – 52), wherein the central host module manages and distributes configuration data to the plurality of integration modules, wherein the configuration data includes instructions for allowing communication among the plurality of multi-platform applications (Column 22, lines 10 – 24).

Regarding claim 43, Gupta teaches that the central registry database communicates with a plurality of subordinate registry databases, and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 3, lines 60 – 65; Column 4, lines 2 – 6).

Regarding claim 45, Gupta teaches a distributed application integration system comprising:

a central host means for representing collective configuration information (Column 11, lines 40 – 51); and

a central host means for allocating portions of the collective configuration information to a plurality of application hosts communicate with a plurality of corresponding multi-platform applications and the plurality of application hosts

implement the portions of the collective information to enable communication among the plurality of corresponding multi-platform applications (Column 4, lines 6 – 10).

Regarding claim 1, Gupta teaches a scalable enterprise application collaboration system comprising:

a central host including a fault tolerant central registry system having a first central registry and a redundant-central registry (Column 3, lines 60 – 65; Column 4, lines 2 – 6), wherein the central host is configured to manage a plurality of reusable distributed objects, send configuration change alerts to the plurality of reusable distributed objects (Column 14, lines 58 – 60), and provide configuration data to the plurality of reusable distributed objects from one of the first central registry and the redundant central registry is used (Column 22, lines 10 – 24);

the plurality of reusable distributed objects, wherein the plurality of reusable distributed objects are in communication with the central host to receive configuration change alerts and to download configuration data from the central host's fault tolerant central registry system (Column 11, lines 40 – 52); and

a plurality of heterogeneous applications, wherein the plurality of heterogeneous applications are configure to communicated via the plurality of reusable distributed objects in accordance with the configuration data (Column 4, lines 6 – 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta.

Regarding claim 36, Gupta teaches a distributed system with a plurality of multi-platform applications (Column 4, lines 2 – 6).

Gupta does not explicitly indicated at least one of the plurality of applications is a supply chain management system.

Examiner takes Official Notice (see MPEP § 2144.03) that "a supply chain management system can be part of a financial distributed, multiplatform application". The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3)

states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Butterworth (5457797).

Regarding claim 48, Gupta teaches having replicated databases and nodes for failover (Column 3, lines 60 – 65; Column 4, lines 2 – 6).

Gupta does not explicitly indicate load balancing between replicated databases.

Butterworth teaches a multi-platform enterprise application that uses replication for both failover and load balancing (Column 21, lines 23 – 33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use load balancing in Gupta system in order to allow more applications and users to access information in the databases at one time and still maintain the reliability of a replicated system (Column 21, lines 23 – 43).

Response to Arguments

Applicant's arguments with respect to claims 1-43 and 45-54 have been considered but are moot in view of the new ground(s) of rejection.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6687698 issued to Nixon, because it discloses a distributed redundant configuration database.

U. S. Patent No. 5758154 issued to Qureshi, because it discloses messaging and requesting configuration information.

U. S. Patent No. 6772216 issued to Ankireddipally, because it discloses a distributed application system that includes supply chain management.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
March 5, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER